

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NIELA PETERS,)
Plaintiff,)
v.) Civil Action
CREDIT CONTROL SERVICES, INC.,) No. 22-11995-PBS
dba CREDIT COLLECTION SERVICES,)
Defendant.)

ORDER

May 1, 2023

SARIS, D.J.

For the reasons stated below, this action is dismissed without prejudice.

Pro se plaintiff Niela Peters initiated this action by filing a complaint pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a, and the Fair Credit Reporting Act 15 U.S.C. § 1681a. Dkt. No. 1.

On March 16, 2023, Peters' one-page, unsigned request for waiver of the filing fee was denied without prejudice. Dkt. No. 4. She was ordered to either pay the filing fee or file an Application to Proceed in District Court Without Prepaying Fees or Costs. Id. The order stated that failure of Peters to comply, on or before March 31, 2023, will result in the dismissal of this action without prejudice. Id.

To date, Peters has not responded to the court's order and the time to do so has expired. It is a long-established principle that this Court has the authority to dismiss an action sua sponte for a party's failure to prosecute her action and her failure to follow the court's orders. Fed. R. Civ. P. 41(b). Here, dismissal is appropriate because without plaintiff's active participation, the court cannot effect the advancement of the case to a resolution on the merits.

Accordingly, for the failure to comply with the March 16, 2023 Order, this action is hereby dismissed without prejudice.

SO ORDERED.

/s/ Patti B. Saris
PATTI B. SARIS
UNITED STATES DISTRICT JUDGE